



GAO 1347

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David Stern AND Shi Du Yan
Serial No. : 09/394,204 Examiner: R. Hayes
Filing Date : September 10, 1999 Art Unit: 1647
For : INTRACELLULAR AMYLOID-BETA PEPTIDE BINDING
(ERAB) POLYPEPTIDE

6/8
4/3
5/3/01

1185 Avenue of the Americas
New York, New York 10036
April 23, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

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**COMMUNICATION IN REPLY TO MARCH 22, 2001 COMMUNICATION
FROM EXAMINER REGARDING SEQUENCE DISCLOSURE**

This Amendment is submitted in response to a Communication issued on March 22, 2001 in connection with the above-identified patent application by the United States Patent and Trademark Office. A response to the March 22, 2001 Communication is due April 22, 2001. Since April 22, 2001 falls on a Sunday, a response to the March 22, 2001 Communication submitted on Monday, April 23, 2001 is to be considered timely. Accordingly, this Communication is being timely filed.

Sequence Listing

The Examiner indicated that the above-identified application fails to comply with the requirements of 37 C.F.R. §1.821 through §1.825 for the reason(s) set forth on the Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence (attached hereto as **Exhibit A**).

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In reply, applicants maintain that the computer readable form in this application, 09/394,204, is identical with that filed in Application Number 08/815,225, filed March 12, 1997. In accordance with 37 C.F.R. §1.821(e), please use the only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is attached hereto as **Exhibit B**.

Thus, applicants maintain that the application now complies with the requirements of 37 C.F.R. §1.821 through §1.825 and request that the Examiner withdraw this objection.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone at the number provided below.

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No fee is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Jane M. Love

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Jane M. Love 4/23/01
Date

John P. White
Reg. No. 28,678
Jane M. Love
Reg. No. 42,812

John P. White
Registration No. 28,678
Jane M. Love
Registration No. 42,812
Attorneys for Applicants
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400